

JOURNAL OF THE HOUSE

EIGHTY-EIGHTH SESSION

EIGHTH DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Friday, January 18, 2013

The House convened at 1:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Auggie Minzlaff, followed by the Pledge of Allegiance led by House pages Micah Palmer and Whitney Schroeder.

Roll Call: All members present except Reps. Feinstein and Schrempp who were excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the seventh day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Brian G. Gosch, Chair

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on State Affairs respectfully reports that it has had under consideration HB 1061 and returns the same with the recommendation that said bill do pass.

Also MR. SPEAKER:

The Committee on State Affairs respectfully reports that it has had under consideration HB 1056 and returns the same with the recommendation that said bill be amended as follows:

1056sb

On page 4 of the printed bill, delete lines 10 to 13, inclusive, and insert "in an amount of not less than one million dollars each. The ~~bond and insurance required to be secured by a trust company shall provide that any bonding or insurance company providing the bond or insurance coverage~~ trust company shall give at least ninety days notice of cancellation or renewal nonrenewal of the bond or insurance policy ~~to the trust company and to the director~~ within ten days of the receipt of cancellation or nonrenewal. Except as may be ".

On page 23, delete lines 22 to 24, inclusive, and insert:

"

(2) An unconditional or conditional power to replace a trustee.

The powers to remove or replace a trustee are personal to the ~~beneficiary and may not be exercised by the beneficiary's creditors power holder~~. No court ~~can~~ may order, direct ~~a beneficiary, or~~.

And that as so amended said bill do pass.

Respectfully submitted,
David Lust, Chair

Also MR. SPEAKER:

The Committee on Education respectfully reports that it has had under consideration HB 1064 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Respectfully submitted,
Jacqueline Sly, Chair

1 Also MR. SPEAKER:

2 The Committee on Commerce and Energy respectfully reports that it has had under
3 consideration HB 1055 and returns the same with the recommendation that said bill do pass.

4 Also MR. SPEAKER:

5 The Committee on Commerce and Energy respectfully reports that it has had under
6 consideration HB 1051 and 1054 and returns the same with the recommendation that said bills
7 do pass and be placed on the consent calendar.

8 Respectfully submitted,
9 Roger D. Solum, Chair

10 Also MR. SPEAKER:

11 The Committee on Judiciary respectfully reports that it has had under consideration
12 HB 1070 and 1072 and returns the same with the recommendation that said bills do pass.

13 Also MR. SPEAKER:

14 The Committee on Judiciary respectfully reports that it has had under consideration
15 HB 1071 and returns the same with the recommendation that said bill do pass and be placed on
16 the consent calendar.

17 Respectfully submitted,
18 Brian G. Gosch, Chair

19 **MESSAGES FROM THE SENATE**

20 MR. SPEAKER:

21 I have the honor to transmit herewith SB 26, 38, 46, 54, and 60 which have passed the
22 Senate and your favorable consideration is respectfully requested.

23 Respectfully,
24 Jeannette Schipper, Secretary

MOTIONS AND RESOLUTIONS

HOUSE PAGE RESOLUTION 1 Introduced by: Representatives Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks; Hawley; Heinemann, Heinert, Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp, Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer.

A RESOLUTION, Expressing the appreciation and gratitude of the House of Representatives of the Eighty-eighth Legislature of the State of South Dakota to Taylin Albrecht, Donald Beckwith, Bevin Clapper, James Geppert II, Ben Gute, James Huntley II, Riley Larson, Micah Palmer, Whitney Stroeder.

WHEREAS, the above named served loyally as pages for the House of Representatives of the Eighty-eighth Legislative Session; and

WHEREAS, the members of the Eighty-eighth House of Representatives express their most sincere appreciation to these young people for their service to the state; and

WHEREAS, the members extend to these young people their wishes for every success in life:

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-eighth Legislature of the State of South Dakota, that a personal copy of this resolution be duly certified and furnished to each page on this last day of service.

Rep. Hansen moved that House Page Resolution 1 be adopted.

Which motion prevailed and the resolution was adopted.

CONSIDERATION OF REPORTS OF COMMITTEES

Rep. Lust moved that the reports of the Standing Committees on

Agriculture and Natural Resources on HB 1003 as found on page 90 of the House Journal; also

Health and Human Services on HB 1020 as found on page 92 of the House Journal be adopted.

Which motion prevailed.

1 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

2 HB 1093 Introduced by: Representatives Hoffman, Greenfield, Haggar (Don), Heinert,
3 May, Nelson, Olson (Betty), Qualm, and Schoenfish and Senators Monroe, Frerichs, and Maher

4 FOR AN ACT ENTITLED, An Act to allow the use of dogs to hunt mountain lions and
5 leashed dogs to track and retrieve wounded or presumed dead big game animals.

6 Was read the first time and referred to the Committee on Agriculture and Natural
7 Resources.

8 HB 1094 Introduced by: Representative Feinstein and Senator Rave

9 FOR AN ACT ENTITLED, An Act to authorize gestational carrier agreements in certain
10 situations.

11 Was read the first time and referred to the Committee on Judiciary.

12 HB 1095 Introduced by: Representatives Hoffman, Feinstein, Greenfield, Heinert, May,
13 Nelson, Olson (Betty), Russell, and Schoenfish and Senators Maher, Frerichs, Kirkeby, and
14 Monroe

15 FOR AN ACT ENTITLED, An Act to exempt persons that have not been drinking from
16 charges of open container in a motor vehicle.

17 Was read the first time and referred to the Committee on Judiciary.

18 HB 1096 Introduced by: Representatives Gosch, Feinstein, and Lust and Senators Rave and
19 Brown

20 FOR AN ACT ENTITLED, An Act to transfer on death deeds for real property.

21 Was read the first time and referred to the Committee on Judiciary.

22 HB 1097 Introduced by: Representatives Gosch, Feinstein, and Lust and Senator Rave

23 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to an employer's
24 denial of workers' compensation claims.

25 Was read the first time and referred to the Committee on Judiciary.

1 HB 1098 Introduced by: Representatives Dryden, Bolin, Carson, Hawley, Lust, Magstadt,
2 Mickelson, Novstrup (David), Otten (Herman), Rozum, Sly, Solum, Wick, and Wismer and
3 Senators Kirkeby, Adelstein, Bradford, Buhl, Frerichs, Holien, Johnston, Jones, Krebs, Lucas,
4 Novstrup (Al), Peters, Rave, Tieszen, Vehle, and White

5 FOR AN ACT ENTITLED, An Act to increase the bonding limit for the four technical
6 institutes.

7 Was read the first time and referred to the Committee on Education.

8 HB 1099 Introduced by: Representatives Dryden, Carson, Conzet, Gosch, Haggar (Don),
9 Johns, Rounds, Rozum, Sly, and Tulson and Senators Kirkeby, Hunhoff (Jean), Rampelberg,
10 Tieszen, and White

11 FOR AN ACT ENTITLED, An Act to authorize municipalities to pay for certain services
12 in advance.

13 Was read the first time and referred to the Committee on Local Government.

14 HB 1100 Introduced by: Representatives Kaiser, Bolin, Campbell, Craig, Ecklund,
15 Erickson, Feickert, Gosch, Greenfield, Haggar (Don), Haggar (Jenna), Hansen, Hickey,
16 Hoffman, Kopp, Latterell, Magstadt, May, Miller, Nelson, Novstrup (David), Olson (Betty),
17 Qualm, Rasmussen, Rozum, Russell, Schaefer, Sly, Stalzer, Steele, Stevens, Tulson, and
18 Verchio and Senators Lederman, Begalka, Jensen, Maher, Monroe, Otten (Ernie), and Rave

19 FOR AN ACT ENTITLED, An Act to authorize the use of certain gold and silver coins as
20 legal tender.

21 Was read the first time and referred to the Committee on Commerce and Energy.

22 HB 1101 Introduced by: Representatives Rounds, Greenfield, Novstrup (David), Rozum,
23 and Tyler and Senators Kirkeby, Lederman, and Welke

24 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to public employee
25 grievance procedures.

26 Was read the first time and referred to the Committee on Local Government.

27 HB 1102 Introduced by: Representatives Rounds, Haggar (Don), and Hawley and Senators
28 Holien, Krebs, Lederman, and Maher

29 FOR AN ACT ENTITLED, An Act to revise provisions regarding the South Dakota Health
30 Insurance Guaranty Association Act.

1 Was read the first time and referred to the Committee on Commerce and Energy.

2 HB 1103 Introduced by: Representatives Rounds, Cronin, Greenfield, Hawley, Parsley, and
3 Solum and Senators Krebs, Heineman (Phyllis), Holien, Lederman, Maher, and Rampelberg

4 FOR AN ACT ENTITLED, An Act to exempt credit life insurers from certain provisions
5 related to preexisting conditions.

6 Was read the first time and referred to the Committee on Commerce and Energy.

7 HB 1104 Introduced by: Representatives Wick, Cronin, Hawley, Munsterman, Rozum, and
8 Sly and Senators Krebs, Brown, Heineman (Phyllis), Jensen, Kirkeby, Lucas, Peters, Rave, and
9 Tidemann

10 FOR AN ACT ENTITLED, An Act to require the Unified Judicial System to provide
11 access of criminal records and civil case information and to establish a fee.

12 Was read the first time and referred to the Committee on Judiciary.

13 HB 1105 Introduced by: Representatives Wick, Cronin, Hawley, Lust, Munsterman, and
14 Steele and Senators Krebs, Adelstein, Heineman (Phyllis), Jensen, Lucas, Monroe, Peters, and
15 Tidemann

16 FOR AN ACT ENTITLED, An Act to revise the maximum security deposit for residential
17 premises.

18 Was read the first time and referred to the Committee on Judiciary.

19 HB 1106 Introduced by: Representatives Lust, Feinstein, and Gosch and Senators Rave and
20 Brown

21 FOR AN ACT ENTITLED, An Act to revise certain Limited Liability Company statutes.

22 Was read the first time and referred to the Committee on Judiciary.

23 HB 1107 Introduced by: Representatives Lust and Bartling and Senators Kirkeby and
24 Bradford

25 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to drainage utility
26 fees in municipalities.

27 Was read the first time and referred to the Committee on Local Government.

1 HB 1108 Introduced by: The Committee on State Affairs at the request of the Office of the
2 Governor and the Office of the Attorney General

3 FOR AN ACT ENTITLED, An Act to expand the application of certain opening meetings
4 provisions to certain committees of public boards.

5 Was read the first time and referred to the Committee on State Affairs.

6 HB 1109 Introduced by: The Committee on State Affairs at the request of the Office of the
7 Governor and the Office of the Attorney General

8 FOR AN ACT ENTITLED, An Act to provide that criminal booking photos and police
9 logs are open records.

10 Was read the first time and referred to the Committee on State Affairs.

11 HB 1110 Introduced by: The Committee on State Affairs at the request of the Office of the
12 Governor and the Office of the Attorney General

13 FOR AN ACT ENTITLED, An Act to provide for openness in certain electronic records
14 databases and to open certain information regarding electronic record systems.

15 Was read the first time and referred to the Committee on State Affairs.

16 HB 1111 Introduced by: The Committee on State Affairs at the request of the Office of the
17 Governor and the Office of the Attorney General

18 FOR AN ACT ENTITLED, An Act to repeal the five-year period after which pardon
19 records are sealed.

20 Was read the first time and referred to the Committee on State Affairs.

21 HB 1112 Introduced by: The Committee on State Affairs at the request of the Office of the
22 Governor and the Office of the Attorney General

23 FOR AN ACT ENTITLED, An Act to clarify the application of certain open meetings
24 provisions to certain three-member public boards.

25 Was read the first time and referred to the Committee on State Affairs.

1 HB 1113 Introduced by: The Committee on State Affairs at the request of the Office of the
2 Governor and the Office of the Attorney General

3 FOR AN ACT ENTITLED, An Act to expand the definition of teleconference to include
4 certain meetings conducted through electronic text colloquy and to require the retention of
5 certain records of text colloquy meetings for public inspection.

6 Was read the first time and referred to the Committee on State Affairs.

7 HB 1114 Introduced by: The Committee on State Affairs at the request of the Office of the
8 Governor and the Office of the Attorney General

9 FOR AN ACT ENTITLED, An Act to repeal the confidentiality status of certain derogatory
10 materials and to create an exception to certain open records provisions for certain defamatory
11 information.

12 Was read the first time and referred to the Committee on State Affairs.

13 HB 1115 Introduced by: The Committee on State Affairs at the request of the Office of the
14 Governor and the Office of the Attorney General

15 FOR AN ACT ENTITLED, An Act to clarify the deliberative process exception to certain
16 open records provisions.

17 Was read the first time and referred to the Committee on State Affairs.

18 HB 1116 Introduced by: The Committee on State Affairs at the request of the Office of the
19 Governor

20 FOR AN ACT ENTITLED, An Act to revise the terms and expiration dates of appointees
21 to certain boards and commissions.

22 Was read the first time and referred to the Committee on State Affairs.

23 HB 1117 Introduced by: Representatives Qualm, Bartling, Craig, Feickert, Latterell, Otten
24 (Herman), Schoenfish, Schrempp, Stalzer, and Verchio and Senators Sutton, Holien, Lucas,
25 Rhoden, and Welke

26 FOR AN ACT ENTITLED, An Act to revise the definition of a temporary special events
27 lot for the purposes of vehicle dealer licensing.

28 Was read the first time and referred to the Committee on Transportation.

1 HB 1118 Introduced by: Representatives Solum, Conzet, Craig, Cronin, Erickson, Gosch,
2 Greenfield, Haggar (Don), Haggar (Jenna), Hansen, Hickey, Hoffman, Hunhoff (Bernie), Kaiser,
3 Kirschman, Kopp, Lust, Magstadt, Munsterman, Nelson, Olson (Betty), Otten (Herman),
4 Rounds, Schaefer, Schoenfish, Sly, Steele, Tulson, Verchio, and Wink and Senators Holien,
5 Frerichs, Kirkeby, and Lederman

6 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding special motor
7 vehicle license plates for veterans with disabilities.

8 Was read the first time and referred to the Committee on Transportation.

9 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

10 SB 26: FOR AN ACT ENTITLED, An Act to update terminology for individuals with
11 intellectual disabilities and similar terms.

12 Was read the first time and referred to the Committee on Health and Human Services.

13 SB 38: FOR AN ACT ENTITLED, An Act to increase the penalty for sexual acts between
14 correction facility employees and juvenile detainees.

15 Was read the first time and referred to the Committee on Judiciary.

16 SB 46: FOR AN ACT ENTITLED, An Act to repeal certain outdated statutes and cross
17 references related to the Department of Health.

18 Was read the first time and referred to the Committee on Health and Human Services.

19 SB 54: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
20 references to the Internal Revenue Code.

21 Was read the first time and referred to the Committee on Taxation.

22 SB 60: FOR AN ACT ENTITLED, An Act to revise certain definitions regarding the
23 appraiser certification program.

24 Was read the first time and referred to the Committee on Commerce and Energy.

1 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

2 HB 1066: FOR AN ACT ENTITLED, An Act to continue the current rate of the gross
3 receipts tax imposed on visitor-related businesses.

4 Was read the second time.

5 The question being "Shall HB 1066 pass?"

6 And the roll being called:

7 Yeas 64, Nays 4, Excused 2, Absent 0

8 Yeas:

9 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
10 Ecklund; Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Hajek; Hansen; Hawks;
11 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer;
12 Kirschman; Kopp; Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman; Novstrup
13 (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
14 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Soli; Solum; Stalzer; Steele;
15 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

16 Nays:

17 Haggar (Jenna); Kaiser; May; Nelson

18 Excused:

19 Feinstein; Schrempp

20 So the bill having received an affirmative vote of a two-thirds majority of the members-
21 elect, the Speaker declared the bill passed and the title was agreed to.

22 HB 1018: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning
23 elections and petitions.

24 Was read the second time.

25 The question being "Shall HB 1018 pass?"

26 And the roll being called:

27 Yeas 66, Nays 2, Excused 2, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
3 Ecklund; Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
4 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
5 Johns; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman;
6 Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm;
7 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Soli; Solum;
8 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
9 Speaker Gosch

10 Nays:

11 Kaiser; May

12 Excused:

13 Feinstein; Schremp

14 So the bill having received an affirmative vote of a majority of the members-elect, the
15 Speaker declared the bill passed and the title was agreed to.

16 HB 1032: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
17 money, clothing, and transportation furnished inmates released from the Department of
18 Corrections.

19 Was read the second time.

20 The question being "Shall HB 1032 pass?"

21 And the roll being called:

22 Yeas 65, Nays 3, Excused 2, Absent 0

23 Yeas:

24 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
25 Ecklund; Erickson; Feickert; Gibson; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks;
26 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer;
27 Kirschman; Kopp; Latterell; Lust; Magstadt; Mickelson; Miller; Munsterman; Nelson; Novstrup
28 (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;
29 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Soli; Solum; Stalzer; Steele;
30 Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

31 Nays:

32 Greenfield; Kaiser; May

33 Excused:

34 Feinstein; Schremp

1 So the bill having received an affirmative vote of a majority of the members-elect, the
2 Speaker declared the bill passed and the title was agreed to.

3 HB 1024: FOR AN ACT ENTITLED, An Act to provide for the addition of certain
4 employees of the municipality of Sioux Falls to the South Dakota Retirement System.

5 Was read the second time.

6 The question being "Shall HB 1024 pass?"

7 And the roll being called:

8 Yeas 68, Nays 0, Excused 2, Absent 0

9 Yeas:

10 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
11 Ecklund; Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
12 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
13 Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;
14 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
15 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Soli;
16 Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
17 Speaker Gosch

18 Excused:

19 Feinstein; Schrempp

20 So the bill having received an affirmative vote of a majority of the members-elect, the
21 Speaker declared the bill passed and the title was agreed to.

22 HB 1025: FOR AN ACT ENTITLED, An Act to revise certain actuarial and reporting
23 requirements relating to the South Dakota Retirement System.

24 Was read the second time.

25 The question being "Shall HB 1025 pass?"

26 And the roll being called:

27 Yeas 68, Nays 0, Excused 2, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
3 Ecklund; Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
4 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
5 Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;
6 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
7 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Soli;
8 Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
9 Speaker Gosch

10 Excused:

11 Feinstein; Schrempp

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 HB 1012: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
15 students eligible for resident tuition benefits at universities controlled by the Board of Regents.

16 Was read the second time.

17 1012ra

18 Rep. Cronin moved that HB 1012 be amended as follows:

19 On page 1 of the House State Affairs Committee engrossed bill, delete lines 5 to 9,
20 inclusive, and insert:

21 " 13-53-6.3. Notwithstanding any other provision of law, ~~any person who graduates from a~~
22 ~~South Dakota high school qualifies the following persons qualify~~ for resident tuition rates at the
23 institutions controlled by the Board of Regents ~~if~~:

24 (1) Any citizen or other person entitled under law to establish a residence in the United
25 States who graduates from a South Dakota high school; or

26 (2) The Any citizen or other person entitled under law to establish a residence in the
27 United States who was a South Dakota resident at the time of high school graduation
28 and lived with a parent or legal guardian who was also a South Dakota resident;".

29 Which motion prevailed.

30 The question being "Shall HB 1012 pass as amended?"

31 And the roll being called:

1 Yeas 68, Nays 0, Excused 2, Absent 0

2 Yeas:

3 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
4 Ecklund; Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
5 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
6 Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;
7 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
8 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Soli;
9 Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
10 Speaker Gosch

11 Excused:

12 Feinstein; Schrempp

13 So the bill having received an affirmative vote of a majority of the members-elect, the
14 Speaker declared the bill passed and the title was agreed to.

15 HB 1011: FOR AN ACT ENTITLED, An Act to authorize the Board of Hearing Aid
16 Dispensers and Audiologists to establish a thirty day trial period for the sale of hearing aids.

17 Was read the second time.

18 The question being "Shall HB 1011 pass?"

19 And the roll being called:

20 Yeas 61, Nays 7, Excused 2, Absent 0

21 Yeas:

22 Bartling; Bolin; Cammack; Campbell; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;
23 Erickson; Feickert; Gibson; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks; Hawley;
24 Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman;
25 Kopp; Lust; Magstadt; Mickelson; Miller; Munsterman; Nelson; Novstrup (David); Otten
26 (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer;
27 Schoenfish; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;
28 Wick; Wink; Wismer; Speaker Gosch

29 Nays:

30 Carson; Greenfield; Kaiser; Latterell; May; Olson (Betty); Russell

31 Excused:

32 Feinstein; Schrempp

33 So the bill having received an affirmative vote of a majority of the members-elect, the
34 Speaker declared the bill passed and the title was agreed to.

1 HB 1019: FOR AN ACT ENTITLED, An Act to authorize the involuntary treatment of
2 jailed prisoners with psychotropic medication.

3 Was read the second time.

4 The question being "Shall HB 1019 pass?"

5 And the roll being called:

6 Yeas 63, Nays 5, Excused 2, Absent 0

7 Yeas:

8 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Cronin; Dryden; Duvall; Ecklund;
9 Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hansen; Hawks;
10 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser;
11 Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; Mickelson; Munsterman; Nelson; Novstrup
12 (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Ring; Romkema; Rounds;
13 Rozum; Russell; Schaefer; Schoenfish; Sly; Soli; Solum; Stalzer; Stevens; Tulson; Tyler;
14 Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

15 Nays:

16 Craig; May; Miller; Rasmussen; Steele

17 Excused:

18 Feinstein; Schrempp

19 So the bill having received an affirmative vote of a majority of the members-elect, the
20 Speaker declared the bill passed and the title was agreed to.

21 HB 1047: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the
22 examination for an application for a funeral service license.

23 Was read the second time.

24 The question being "Shall HB 1047 pass?"

25 And the roll being called:

26 Yeas 68, Nays 0, Excused 2, Absent 0

1 Yeas:

2 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
3 Ecklund; Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
4 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
5 Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;
6 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
7 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Soli;
8 Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
9 Speaker Gosch

10 Excused:

11 Feinstein; Schrempp

12 So the bill having received an affirmative vote of a majority of the members-elect, the
13 Speaker declared the bill passed and the title was agreed to.

14 HB 1039: FOR AN ACT ENTITLED, An Act to clarify the gross receipts subject to
15 taxation by the retail sales and service tax, the gross receipts tax on visitor related businesses,
16 the municipal non-ad valorem tax, and the municipal gross receipts tax.

17 Was read the second time.

18 The question being "Shall HB 1039 pass?"

19 And the roll being called:

20 Yeas 68, Nays 0, Excused 2, Absent 0

21 Yeas:

22 Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;
23 Ecklund; Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;
24 Hansen; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);
25 Johns; Kaiser; Killer; Kirschman; Kopp; Latterell; Lust; Magstadt; May; Mickelson; Miller;
26 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;
27 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Soli;
28 Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
29 Speaker Gosch

30 Excused:

31 Feinstein; Schrempp

32 So the bill having received an affirmative vote of a majority of the members-elect, the
33 Speaker declared the bill passed and the title was agreed to.

COMMEMORATIONS

HC 1001 Introduced by: Representatives Nelson, Campbell, Carson, Hawley, Kaiser, Kopp, Parsley, Ring, Solum, Stalzer, Steele, Verchio, and Wick and Senators Van Gerpen, Adelstein, Brown, Johnston, Lederman, and Rhoden

A LEGISLATIVE COMMEMORATION, Commending and honoring Specialist James Furry for his selection as the South Dakota Army National Guard Soldier of the Year.

WHEREAS, the South Dakota Army National Guard consistently is ranked as one of the best Army National Guard units in the nation; and

WHEREAS, Specialist James Furry was selected as the Soldier of the Year of the South Dakota Army National Guard after serving with honor and demonstrating great proficiency and steadfast dedication; and

WHEREAS, as noted by his South Dakota Army National Guard state supervisors and commanders, Specialist James Furry's proficiency and dedication to duty exemplify the total package of Army core values; and

WHEREAS, Specialist James Furry's performance is in keeping with the highest traditions established by South Dakota's many veterans and the United States Armed Forces; and

WHEREAS, South Dakotans greatly appreciate the sacrifice, dedication, and service of all those who put their lives on the line to serve South Dakota and our great nation:

NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the State of South Dakota, that Specialist James Furry is commended, congratulated, and honored as the recipient of the South Dakota Army National Guard Soldier of the Year award. Specialist Furry is recognized for his outstanding service and outstanding representation of the State of South Dakota, and is extended best wishes for his continued success, happiness, and safety. Hooah!

HC 1002 Introduced by: Representatives Nelson, Campbell, Carson, Hawley, Kaiser, Kopp, Parsley, Ring, Solum, Stalzer, Steele, Verchio, and Wick and Senators Van Gerpen, Adelstein, Brown, Johnston, Lederman, and Rhoden

A LEGISLATIVE COMMEMORATION, Commending and honoring Sergeant Jacob Vissia for his selection as the South Dakota Army National Guard Noncommissioned Officer of the Year.

WHEREAS, the South Dakota Army National Guard consistently is ranked as one of the best Army National Guard units in the nation; and

1 WHEREAS, Sergeant Jacob Vissia was selected as the Noncommissioned Officer of the
2 Year of the South Dakota Army National Guard after demonstrating great proficiency,
3 leadership, steadfast dedication, and serving with honor; and

4 WHEREAS, as noted by his South Dakota Army National Guard state supervisors and
5 commanders, Sergeant Jacob Vissia's leadership and dedication to duty exemplify the total
6 package of Army core values; and

7 WHEREAS, Sergeant Jacob Vissia's performance is in keeping with the highest traditions
8 established by South Dakota's many veterans and the United States Armed Forces; and

9 WHEREAS, South Dakotans greatly appreciate the sacrifice, dedication, and service of all
10 those who put their lives on the line to serve South Dakota and our great Nation:

11 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the
12 State of South Dakota, that Sergeant Jacob Vissia is commended, congratulated, and honored
13 as the South Dakota Army National Guard Noncommissioned Officer of the year. Sergeant
14 Vissia is recognized for his outstanding service and outstanding representation of the State of
15 South Dakota, and is extended best wishes for his continued success, happiness, and safety.
16 Hooah!

17 HC 1003 Introduced by: Representatives Nelson, Campbell, Carson, Hawley, Kaiser,
18 Kopp, Parsley, Ring, Solum, Stalzer, Steele, and Wick and Senators Van Gerpen, Adelstein,
19 Brown, Johnston, Lederman, and Rhoden

20 A LEGISLATIVE COMMEMORATION, Commending and honoring Chief Warrant Officer
21 Four Kenneth Schoenfelder for his selection as the South Dakota Army National Guard
22 Warrant Officer of the Year.

23 WHEREAS, South Dakota Army National Guard consistently is ranked as one of the best
24 Army National Guard units in the nation;

25 WHEREAS, Chief Warrant Officer Four Kenneth Schoenfelder was selected as the Warrant
26 Officer of the Year of the South Dakota Army National Guard after serving with honor,
27 demonstrating great proficiency, leadership, and steadfast dedication; and

28 WHEREAS, as noted by his South Dakota Army National Guard state supervisors and
29 commanders, Chief Warrant Officer Four Kenneth Schoenfelder's dedication to duty and
30 leadership exemplify the total package of Army core values; and

31 WHEREAS, Chief Warrant Officer Four Kenneth Schoenfelder's performance is in keeping
32 with the highest traditions established by South Dakota's many veterans and the United States
33 Armed Forces; and

34 WHEREAS, South Dakotans greatly appreciate the sacrifice, dedication, and service of all
35 those who put their lives on the line to serve South Dakota and our great nation:

1 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the
2 State of South Dakota, that Chief Warrant Officer Four Kenneth Schoenfelder is congratulated,
3 commended, and honored as a recipient of the south Dakota Army National Guard Warrant
4 Officer of the Year award; is recognized for his outstanding service as well as his outstanding
5 representation of the State of South Dakota; and is extended our best wishes for his continued
6 success, happiness, and safety. Hooah!

7 HC 1004 Introduced by: Representatives Nelson, Campbell, Carson, Hawley, Kaiser,
8 Kopp, Parsley, Ring, Solum, Stalzer, Steele, Verchio, and Wick and Senators Van Gerpen,
9 Adelstein, Brown, Johnston, Lederman, and Rhoden

10 A LEGISLATIVE COMMEMORATION, Commending and honoring First Lieutenant Cody
11 Becker for his selection as South Dakota Army National Guard Lieutenant of the Year.

12 WHEREAS, the South Dakota Army National Guard consistently is ranked as one of the
13 best Army National Guard units in the nation; and

14 WHEREAS, First Lieutenant Cody Becker was selected as the Lieutenant of the Year of the
15 South Dakota Army National Guard after serving with honor, steadfast dedication, leadership,
16 and great proficiency as an officer; and

17 WHEREAS, as noted by his South Dakota Army National Guard state supervisors and
18 commanders, First Lieutenant Cody Becker's leadership, proficiency, and dedication exemplify
19 the total package of Army core values; and

20 WHEREAS, First Lieutenant Cody Becker's performance is in keeping with the highest
21 traditions established by South Dakota's many veterans and the United States Armed Forces; and

22 WHEREAS, South Dakotans greatly appreciate the sacrifice, dedication, and service of all
23 those who put their lives on the line to serve South Dakota and our great nation:

24 NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Eighth Legislature of the
25 State of South Dakota, that First Lieutenant Cody Becker is commended, congratulated, and
26 honored as the South Dakota Army National Guard Lieutenant of the Year. Lieutenant Becker
27 is recognized for his outstanding service and outstanding representation of the State of South
28 Dakota, and is extended our best wishes for his continued success, happiness, and safety.
29 Hooah!

30 Rep. Steele moved that the House do now adjourn, which motion prevailed and at
31 2:21 p.m. the House adjourned.

32 Arlene Kvislen, Chief Clerk